IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA RALEIGH DIVISION SEP 2 8 2001

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IN RE:)	EASTERN
INTERNATIONAL HERITAGE, INC.)	CASE NO. 98-02675-5-ATS CHAPTER 7
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)	
Debtor.)	

THIRD APPLICATION FOR INTERIM COMPENSATION FOR SERVICES RENDERED BY ATTORNEY FOR TRUSTEE

The application of Holmes P. Harden, attorney for Trustee in the above-captioned case, respectfully represents:

- 1. That on the 22nd day of January, 1999 your applicant was approved as attorney for Trustee in the above-referenced case, #98-02675-5-ATS, and has since performed certain services on behalf of the Trustee. The Court entered an Order Allowing Attorney for Trustee's First Interim Fees on November 1, 1999 for services rendered and time expended incurred for the period November 30, 1998 through September 22, 1999 in the amount of \$70,567.75 and reimbursement of expenses incurred for the period January 27, 1999 through August 31, 1999 in the amount of \$219.23. The Court entered a consent order on October 26, 2000 allowing applicant's Second Interim compensation for services rendered from September 23, 1999 through September 12, 2000 in the amount of \$20,674.75 and reimbursement of expenses in the amount of \$24.50. Applicant's Third Interim Application for compensation are for services rendered from September 18, 2000 through August 21, 2001 and are itemized on Exhibit A attached hereto and incorporated herein by reference.
 - 2. Attorney time is billed at a rate of \$145.00 to \$160.00 per hour. Paralegal

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time is billed at \$65.00 to \$70.00 per hour. The total amount of interim compensation being sought is \$7,024.00.

Attorney	Rate	Hours	Amount
H. P. Harden	\$145.00	15.40	2,233.00
	\$160.00	23.00	3,680.00
David Bookout	\$160.00	1.40	224.00
Paralegals			
Jenny D. Johnson	65.00	7.40	481.00
	70.00	5.80	406.00
Totals		56.60	\$7,024.00

Applicant believes that the compensation requested is fair and reasonable. In addition to interim compensation.

3. No agreement or understanding exists between the applicant and any other person for the sharing of compensation to be received for services rendered in or in connection with this case, other than with the professional association by which the undersigned is employed.

Holmes P. Harden is the firm's senior creditor's rights and bankruptcy attorney and coordinator of its creditors' rights and bankruptcy practice group. He is certified in bankruptcy law by the North Carolina State Bar Board of Legal Specialization and in business bankruptcy law by the American Bankruptcy Board of Certification. He has over 20 years of business law experience. He is a Chapter 7 Bankruptcy Trustee for the Eastern District of North Carolina. His normal hourly billing rate is \$230.00.

Mr. Harden received his undergraduate degree at Davidson College and his law degree at the University of North Carolina. He served as law clerk to the Honorable Naomi Morris, Chief Judge of the North Carolina Court of Appeals, from 1981 to 1982. He is a member of several professional organizations, including the North Carolina Bar Association, National Association of Bankruptcy Trustees, Council of Certified Bankruptcy Specialists, The Commercial Law 264887

League, and the American Bankruptcy Institute.

Jenny D. Johnson, Bankruptcy Paralegal, Johnston Community College, 1977, Associate Accounting; Atlantic Christian College, 1980, B.S.B.A.; Meredith College, (bankruptcy law course under legal assistant program); 8 years banking experience; 12 years experience in bankruptcy; 1 year probate experience; 95% of billable time is devoted to bankruptcy; Normal hourly billing rate is \$85.00 per hour.

David A. Bookhout, Special Counsel at Maupin Taylor Ellis, P.A., has represented clients in corporate finance, joint venture, merger and acquisition, international, and other corporate matters for over twenty-five years. Before moving to North Carolina, he practiced in Boston for many years as a partner at one of Boston's largest firms, Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. While at Mintz, Levin, Mr. Bookhout represented technology companies, for example, Biogen; venture capital firms, such as TA Associates and Zero Stage Capital; and large European and Asian businesses. He also served as coordinator of the firm's Business Law Section. In North Carolina, Mr. Bookhout has represented emerging technology companies, as well as a leading Triangle venture capital fund and later-stage growth companies. He has also spoken on venture capital issues and served as Chair of CED's STREAK program for early-stage companies. He is a graduate of Amherst College and Harvard Law School, and is admitted to practice in Massachusetts, New York, and North Carolina. His normal hourly billing rate is \$260.00.

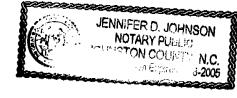
WHEREFORE, your applicant prays that he be allowed and paid from the estate the above requested third interim compensation of \$7,024.00.

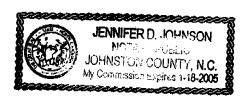
Attorney for Trustee

Sworn to and subscribed before me this the $\frac{25}{40}$ day of September, 2001.

My Commission Expires:

1-18-2005





CERTIFICATE OF SERVICE

Holmes P. Harden Attorney for Trustee

N. C. State Bar No. 9835
Post Office Drawer 19764

Raleigh, North Carolina 27619 Telephone: (919) 981-4000

SERVED:

Marjorie K. Lynch Bankruptcy Administrator Post Office Box 3039 Raleigh, North Carolina

#66236(67677)

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G. ...-CLIENT ADDRESS----*

G.S. BANKRUPTCY COURT - EDNC
CENTURY STATION POST OFFICE BUILDING
CO FAYETTEVILLE STREET MALL, ROOM 209

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C**TORNEY FOR TRUSTEE
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1039117 0534	100200 B	.40	26.00	.40	26.00	301.50 DRAFT LETTER TO US ATTORNEY IN MACON GA RE
Se (JDJ)						1099'S.
~	100300 B	.30	43.50	. 30	43.50	345.00 TELEPHONE CALL FROM ATTORNEY FOR CHITTENDEN
C (HPH)						BANK JANE QUADRANO; TELEPHONE CALL TO MS.
						QUADRANO.
1036709 0117 100500 B	100500 B	1.00	145.00	1.00	145.00	490.00 REVIEWED FILE RE CORBIN INSURANCE AGENCY AND

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50 LEGAL RESEARCH RE PONZI SCHEMES AND CLAIMS	43.50 1403.5	.30	43.50	.30	111300 B	\$\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
TELEPHONE CA	29.00 1360.00	.20	29.00	.20	111300 B	(HPH) 0047126 0117
	43.50 1331.00	.30	43.50	.30	110800 B	045524 0117
50 REVIEWED PROPOSED COECO RELEASE.	43.50 1287.50	.30	43.50	. 30	110700 B	1045283 0117
	43.50 1244.00	.30	43,50	.30	110700 B	1045269 0117 (HPH)
TELEPHONE CALL TO MR. JIM ROBERTS RE CLG	29.00 1200.50	.20	29.00	.20	110300 В	V 1944423 0117
	43.50 1171.50	.30	43.50	.30	110100 B	1044368 0117
00 REVIEWED PLEADINGS RE MOTION TO SELL FREE AND CLEAR AND COMPLAINTS THAT SHOULD BE FILED TO AVOID LIENS.	43.50 1128.00	.30	43.50	.30	110100 В	1044363 0117 (HPH)
50 TELEPHONE CALL FROM ATTORNEY JANE QUADRONO RE PRIORITY OF SUBROGATED CLAIMS FOR CHITTENDEN BANK.	29.00 1084.9	. 20	29.00	. 20	102700 B	475,42595 0117 (HPH)
.50 TELEPHONE CALL FROM ATTY. JANE QUODRONO RE CLAIMS PROCEDURE FOR PRIORITY CLAIMS.	1055	.20	29.00	.20	102400 B	117 40890 0117 (HPH)
.50 TELEPHONE CALL FROM SEC ATTY. SUSAN SHERILL RE OBJECTION TO CLAIM OF CENTURA BANK.	29.00 1026.	.20	29.00	. 20	102300 B	С 40221 0117 (нрн)
TELEPHONE CALL TO MS. SUSAN SHERILL, BOTH RE OBJECTION TO CENTURA CLAIM.						09/ 1 (HPH)
TELEPHONE CALL FROM SE	29.00 997.50	.20	29.00	.20	102300 В	28 19 20 0117
	43.50 968.50	.30	43.50	.30	102300 B	40219
	29.00 925.00	.20	29.00	.20	101700 B	네38428 0117 (HPH)
00 TELEPHONE CALL TO MR. JIM JOHNSON RE ACSTAR APPEAL.	29.00 896.00	.20	29.00	.20	101100 B	<u>№</u> 38066 0117 N (нрн)
CALL TO MR. JIM ROBERTS, BOTH RE CGL POLICY.	23.00		. 00	, N	FOFF 60 F	re(38883 SIE)
LYNCH.		3	20 00	ა ი	101100 B	09065 0117
WORKED ON RESPONSE; TELEPHONE CALL FROM MS. MARGIE LYNCH; TELEPHONE CALL TO MS. MARGIE						9/2
REVIEWED BA'S OBJECT	232.00 838.00	1.60	0.00	.00	101000 B	36621 0117
00 TELEPHONE CALL FROM MS. MARGIE LYNCH; TELEPHONE CALL TO MS. MARGIE LYNCH.	0.00 606.00	. 00	145.00	1.00	101000 BNP	1036856 0117 (HPH)
.00 REVIEWED BA'S OBJECTIONS TO FEE APPLICATION AND WORKED ON RESPONSE.	0.00 606.1	. 00	87.00	. 60	101000 BNP	1036851 0117 0 (HPH)
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TELEPHONE CALL FROM MR. I	29.00 519.00	. 20	29.00	.20	100500 B	<mark>16</mark> 36723 0117 С (нрн)
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3338.00 TELEPHONE CALL TO ATTORNEY WILLIAM STERLING MASON, TELEPHONE CALL TO ATTORNEY LEONARD	96.00 33	. 60	96.00	. 60	011901 B	1067615 0117 (HPH)
142.00 REVISED LETTER TO MR. BRENT WOOD RE DEMAND FOR SHARES.	48.00 32	.30	48.00	.30	011901 B	C (HPH)
3194.00 REVIEWED SETTLEMENT AGREEMENT RE TRANSFER OF SHARES.	48.00 31	.30	48.00	. 30	011901 B	1067578 0117 (HPH)
	48.00 31	.30	48.00	.30	011801 B	1067539 0117 (HPH)
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3098.00 INTRA-OFFICE CONFERENCES WITH MR. BOOKHOUT RE PURPORTED STOCK ASSIGNMENT LACKING STOCK	96.00 30	. 60	96.00	. 60	011801 B	1967513 0117 (HPH)
RE POSSIBLE PURCHASE OF CORPORATE SHELL. 3002.00 LETTER FROM AND LETTER TO MR. BREWI WOOD RE	48.00 30	. 30	48.00	. 30	011801 B	(HPH)
2954.00 TELEPHONE CALL FROM ATTORNEY LEONARD BURNINGHAM	32.00 29	.20	32.00	.20	011101 B	№ 63969 0117
2922.00 TELEPHONE CALL TO STERLING MASON'S OFFICE KE POSSIBLE PURCHASE OF CORPORATE STOCK.	32.00 25	. 20	32.00	.20	011001 B	18 730 0117 (HPH)
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STOCK; TELEPHONE CALL TO STERLING MASON RE						C (HPH)
ED OFFER OF STERLING	128.00 28	.80	128.00	.80	01040 1 B	1063344 0117
EZALIE MEMO	48.00 27	.30	48.00	.30	010301 B	1063328 0117
2714.00 TELEPHONE CALL TO MR. BRENT WOOD RE STOCK, SECTION 548 DREFERENCE REPRESENTATIONS.	29.00 27	.20	29.00	.20	122900 B	1061551 0117
RE SETTLEMENT OF TRANSFERS						d (нрн)
CH RE SECTIONS	87.00 26	. 60	87.00	. 60	122900 В	0) 0) 0) 61548 0117
2598.00 TELEPHONE CALL TO MR. JIM JOHNSON RE MEDIATION WITH ACCIDAD CONTRICT OF ADDEAL.	87.00 25	.60	87.00	. 60	122100 В	/260 30 0117
JACKET FOR CLG POLICY.						3/С
REGARDING ALL SETTLEMENTS IN THE CASE. 2511.00 LETTER TO MR. LARRY FLESZAR RE COMPLETE POLICY	43.50 25	. 30	43.50	.30	121800 B	1058552 0117
LE; COPY ALL ORDI	260.00 24	4.00	260.00	4.00	121400 B	Hes9050 0534
2207.50 REVIEWED SETTLEMENT AGREEMENT WITH ACSTAR.	43.50 22	. 30	43.50	.30	121300 B	nt (HPH)
APPEAL ISSUES AND BRIEF.						re (HPH)
2164.00 TELEPHONE CALL FROM MR. JIM JOHNSON RE ACSTAR	29.00 21	.20	29.00	.20	120600 B	(APH)
FROM MR. JIM	29.00 21	.20	29.00	.20	112700 В	0 27 0117 0 (mm)
FROM VAN EITEN; LETTER TO MR. BRENT WOOD RE SAME.						(APH)
E STOCK TRAN	116.00 21	, 80	116.00	. 80	112100 B	51194 0117
WOOD RE TRANSFE						1 (HPH)
1990.00 REVIEWED FILE; DICTATED LETTER TO MR. BRENT	87.00 19	. 60	87.00	.60	112100 B	(HPH) 0117
903.00 REVIEWED UCC-1 SEARCH AND MEMO RE SAME.	43.50 19	.30	43.50	.30	112100 B	851182 0117
SED TOLLING AC	87.00 18	.60	87.00	.60	112100 B	851181 0117
1772.50 REVIEW PLEADINGS FILES FOR ORDERS; REVIEW FILE RE VAN ETTEN'S PAYMENT OF \$150.000.	195.00 17	3.00	195.00	3.00	112000 B	1053596 0534 (m,r)
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AGEEMENT FROM COECO. 1577 50 LEGAL RESEARCH RE SECTION 108. RE NOVEMBER 25	43.50 15		43.50	0	111500 B	0 (HPH)
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ONFEREN	32.00 58	.20	32.00	.20	040201 B	1092217 0117
781.00 TELEPHONE CALL FROM MR. ROBIN MERRITT RE VAN ETTEN CONSENT JUDGMENT; REVIEWED SAME; TELEPHONE CALL TO MR. MERRITT.	48.00 57	.30	48.00	.30	040201 B	<mark>Ж</mark> 92164 0117 О (н₽н)
CALL TO MR INSURANCE	32.00 57	.20	32.00	. 20	032301 B	9 08788 4 0117 ∪ (H₽H)
5701.00 INTRA-OFFICE CONFERENCE WITH MR. BOOKHOUT RE SECURITIES ISSUES RE VAN ETTEN STOCK.	48.00 57	.30	48.00	.30	031501 B	भू 85855 0117 ८ (н Р н)
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	96.00 55	.60	96.00	. 60	031201 B	₩083445 0117
MPI.	48.00 54	.30	48.00	.30	030101 B	43 0117 (HPH)
5381.00 REVIEWED TWO FOURTH CIRCUIT BRIEFS AND REPLY	288.00 53	1.80	288.00	1.80	030101 B	UB1738 0117
IN FUNCT SCHEMES. 5093.00 TELEPHONE CALLS FROM CREDITORS.	48.00 50	.30	48.00	.30	030101 B	4 (HPH)
m	160.00 50	1.00	160.00	1.00	022801 B	1080842 0117
4885.00 TELEPHONE CALL FROM MR. BRENT WOOD RE NC	32.00 48	.20	32.00	.20	022301 B	78282 0117
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805.00 REVIEWED HUKAZALIE MEMOS; LETTER TO MS. HUMRICKHOUSE RE SAME.	48.00 48	.30	48.00	.30	021401 B	/28/74/934 0117 1 (HPH)
CALL FROM MR. (32.00 47	.20	32.00	.20	020901 в	<mark>У</mark> 73560 0117
4725.00 TELEPHONE CALL FROM MR. JIM JOHNSON RE REVISIONS TO 4TH CIRCUIT BRIEF.	32.00 47	.20	32.00	.20	020801 B	11073266 0117 (HPH)
4693.00 REVIEWED AND REVISED FOURTH CIRCUIT APPELLATE BRIEF RE ACSTAR.	416.00 46	2.60	416.00	2.60	020701 B	1ter (HPH)
	96.00 42	. 60	96.00	. 60	020701 B	世 (HPH)
4181.00 TELEPHONE CALL FROM MR. JIM JOHNSON RE 4TH CIRCUIT APPEAL ARGUMENT.	320.00 41	2.00	320.00	2.00	020701 B	32 0117 (HPH)
3861.00 WORKED ON INQUIRY FROM MR. BRENT WOOD RE TAX CLAIMS.	48.00 38	.30	48.00	.30	020501 B	(HPH)
813.00 TELEPHONE CALL FROM MR. JIM JOHNSON RE TIG AND 4TH CIRCUIT APPEAL.	128.00 38	. 80	128.00	. 80	020101 B	0 1073074 0117 (HPH)
3685.00 REVIEW FILE RE ORDERS REGARDING PRIORITY OF	75.00 36	1.00	75.00	1.00	012901 В	070920 0534
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	0.00	0.00			WORK ON 2ND INTERIM ATTORNEY FOR TRUSTEE FEE APPLICATION.	N FEE	WORK ON ZND INTERIM FEE APPLICATION FOR ATTORNEY FOR TRUSTEE.	S SOUTHWARE DOL	BRIEF.	TELEPHONE CALL FROM MR. JIM JOHNSON RE TIG	TELEPHONE CALL FROM MR. JIM JOHNSON RE TIG	TELEPHONE CALL TO MR. JIM JOHNSON RE PENDING FOURTH CIRCUIT APPEAL ARGIMENT	ORDER.	OTION,	COMPROMISE AND SETTLEMENT; RECORD MESSAGES ON 2 TELEPHONE LINES: EMAIL NOTICE.			PROCEEDINGS.	REVIEWED AND REVISED MOTION TO SETTLE ADVERSARY		CIRCUIT ARGUMENT.	TELEPHONE CALL FROM MR. JIM ROBERTS RE FOURTH	ERIE RESERVATION OF RIGHTS LETTER.	3S.	CE CONFERENCE WITH MR.	TRANSFERS; TELEPHONE CALL TO MR. HARDEN.			TT HAS BEEN TRANSFERRED TO THE TRUSTER WHETHER	'S COMMISSION	LEGAL RESEARCH RE SECTION 507 RE	FILE AND SERVE NOTICES FOR COMPROMISE AND SETTLEMENT.	STOCK CERTIF	

7323.00

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FEES HCOST

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() BILL COSTS ONLY	() BILL FEES ONLY	() BILL COSTS AND FEES	
() FINAL BILL	() CLOSE FILE	() DO NOT BILL	

0.00 (-30)

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Doc 475

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